

REMARKS

I. INTRODUCTION

The once amended claim 12 rejected in the instant Office Action was first presented to the Examiner in Applicant's response to the Office Action of March 28, 1997. The instant Office Action directed Applicants' attention to the particular aspects of the prior art which served as grounds for the Examiner's rejection, and it is respectfully submitted that the foregoing amendments serve to more distinctly claim the novelty of Applicants' invention over the prior art and consequently overcome the Examiner's rejection.

II. APPLICANT'S INVENTION IS PATENTABLE OVER EUTENEUER

Claim 12 was rejected by the Examiner on the basis of 35 U.S.C. §102 (e) as being anticipated by U.S. Patent No. 5,445,646 issued to Euteneuer. To anticipate a claim under 35 U.S.C. §102, "the reference must teach every aspect of the claimed invention . . ." M.P.E.P. §2131.

Euteneuer neither discloses nor teaches anchoring a stent on a balloon by encapsulation, with the encapsulation provided by the balloon itself. Applicants have amended claim 12 to more distinctly claim this feature of encapsulation by the balloon. Encapsulation by the balloon itself serves to obviate the need for a sheath to secure the balloon during delivery, thereby reducing the profile of the delivery system.



Euteneuer in fact teaches away from this claimed feature by requiring either a "retractable sheath", (Figure 6) or "slipping sleeves which are used to form a waterproof chamber around a stent" (Column 5).


Accordingly, claim 12, as amended, is not anticipated by Euteneuer. And it is respectfully requested that the amendment be entered and that claim 12 be allowed.

Claim 33 includes the same claimed feature required by claim 12, and, therefore, is similarly not anticipated by Euteneuer. Accordingly, it is respectfully requested that the amendment be entered and that claim 33 be allowed.

III. CONCLUSION

For the foregoing reasons, it is submitted that the grounds for the Examiner's rejection are overcome by the Examiner's amendments. Accordingly, entry and allowance of the instant application is respectfully requested.

Respectfully submitted,


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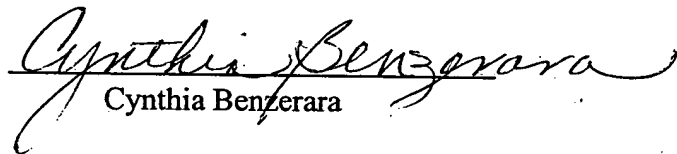
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Date: January 15, 1998


Cynthia Benzerara